

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA

VENUE: SAN FRANCISCO

UNITED STATES OF AMERICA

V.

CINTHIA MIRAMONTES RODRIGUEZ,
a/k/a "Cynthia Rodriguez,"
a/k/a "Cynthia Rodriguez Navarro," and
BRAYAN JOSIAS LOPEZ TORRES

DEFENDANT(S).

INDICTMENT

21 U.S.C. §§ 841(a)(1) and (b)(1)(C) – Possession with Intent to Distribute Fentanyl;
21 U.S.C. § 853 – Forfeiture Allegation

A true bill.

Foreman

Filed in open court this 19 day of DECEMBER 2019

ROSE MAHER

Clerk

THOMAS S. HIXSON
UNITED STATES MAGISTRATE JUDGE

Bail, \$

NO PROCESS

WHO
CR 19 0711
FILED

DEC 19 2019

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTH DISTRICT OF CALIFORNIA

DAVID L. ANDERSON (CABN 149604)
United States Attorney

FILED

DEC 19 2019

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTH DISTRICT OF CALIFORNIA

WHO

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

CR 19 0711

UNITED STATES OF AMERICA,

Plaintiff,

v.

CINTHIA MIRAMONTES RODRIGUEZ,
a/k/a "Cynthia Rodriguez,"
a/k/a "Cynthia Rodriguez Navarro," and

BRAYAN JOSIAS LOPEZ TORRES

Defendants.

CASE NO.

VIOLATIONS:

21 U.S.C. §§ 841(a)(1) and (b)(1)(C) – Possession
with Intent to Distribute Fentanyl;

21 U.S.C. § 853 – Forfeiture Allegation

INDICTMENT

The Grand Jury charges:

COUNT ONE: (21 U.S.C. § 841(a)(1) and (b)(1)(C) – Possession with Intent to Distribute
Fentanyl)

On or about December 17, 2019, in the Northern District of California, the defendants,

CINTHIA MIRAMONTES RODRIGUEZ,
a/k/a "Cynthia Rodriguez,"
a/k/a or "Cynthia Rodriguez Navarro," and

BRAYAN JOSIAS LOPEZ TORRES,

did knowingly and intentionally possess with intent to distribute a mixture and substance containing a
detectable amount of Fentanyl, a Schedule II controlled substance, in violation of Title 21, United States

INDICTMENT

Code, Section 841(a)(1) and (b)(1)(C).

FORFEITURE ALLEGATION: (21 U.S.C. § 853(a))

The allegations contained above are hereby re-alleged and incorporated by reference for the purpose of alleging forfeiture pursuant to Title 21, United States Code, Section 853(a).

Upon conviction of any of the offenses alleged in Count One above, the defendants,

CINTHIA MIRAMONTES RODRIGUEZ,
a/k/a "Cynthia Rodriguez,"
a/k/a or "Cynthia Rodriguez Navarro," and

BRAYAN JOSIAS LOPEZ TORRES,

shall forfeit to the United States all right, title, and interest in any property constituting and derived from any proceeds defendant obtained, directly or indirectly, as a result of such violations, and any property used, or intended to be used, in any manner or part, to commit or to facilitate the commission of such violations, including but not limited to a forfeiture money judgment.

If any of the property described above, as a result of any act or omission of the defendant:

- a. cannot be located upon exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p).

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1 All pursuant to Title 21, United States Code, Section 853, and Federal Rule of Criminal
2 Procedure 32.2.

3
4 DATED: 19 DECEMBER 2019

A TRUE BILL.

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FOREPERSON
San Francisco

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8 DAVID L. ANDERSON
9 United States Attorney

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11 SAILAJA M. PAIDIPATY
12 Assistant United States Attorney

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

FILED

DEC 19 2019

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTH DISTRICT OF CALIFORNIA

CRIMINAL COVER SHEET

Instructions: Effective November 1, 2016, this Criminal Cover Sheet must be completed and submitted along with the Defendant Information Form, for each new criminal case.

CR 19 0711

WHO

CASE NAME:

CASE NUMBER:

USA V. Cinthia Miramontes Rodriguez and Brayan Josias Lopez Torres

CR

Is This Case Under Seal?

Yes No ☒

Total Number of Defendants:

1 2-7 ☒ 8 or more

Does this case involve ONLY charges under 8 U.S.C. § 1325 and/or 1326?

Yes No ☒

Venue (Per Crim. L.R. 18-1):

SF ☒ OAK SJ

Is this a potential high-cost case?

Yes No ☒

Is any defendant charged with a death-penalty-eligible crime?

Yes No ☒

Is this a RICO Act gang case?

Yes No ☒

Assigned AUSA

(Lead Attorney): Sailaja M. Paidipaty

Date Submitted: 12/19/2019

Comments:

CR 19-71120711

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING
OFFENSE CHARGED

21 U.S.C. §§ 841(a)(1) and (b)(1)(C) - Possession with Intent to Distribute Controlled Substances

- ☐
- Petty
-
- ☐
- Minor
-
- ☐
- Misdemeanor
-
- ☒
- Felony

 PENALTY: Maximum 20 years imprisonment;
 Maximum \$1,000,000 fine;
 Between 3 years and lifetime supervised release;
 \$100 special assessment.

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

WHO

DEFENDANT - U.S.

CR 19-0711
 DISTRICT COURT NUMBER
DEC 19 2019**PROCEEDING**

Name of Complainant Agency, or Person (& Title, if any)

DEA

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. ATTORNEY ☐ DEFENSE

SHOW DOCKET NO.

☐ this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

☒ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

19-72046

Name and Office of Person

Furnishing Information on this form DAVID L. ANDERSON

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned)

SAILAJA M. PAIDIPATY

IS NOT IN CUSTODY
 1) ☐ Has not been arrested, pending outcome this proceeding. If not detained give date any prior summons was served on above charges
2) ☐ Is a Fugitive3) ☐ Is on Bail or Release from (show District)**IS IN CUSTODY**4) ☒ On this charge5) ☐ On another conviction
☐ Federal ☐ State
6) ☐ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

 Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted
ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**
☐ SUMMONS ☐ NO PROCESS* ☒ WARRANT

Bail Amount: No Bail

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time:

Before Judge:

Comments: